

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOHN D. HUNTER,  
Plaintiff,

v.

S. ODOM,  
Defendant.

Case No. [19-cv-00847-JST](#)

**ORDER OF DISMISSAL**

Plaintiff has filed a *pro se* action pursuant to 42 U.S.C. § 1983 alleging that while he was housed at San Quentin State Prison (“SQSP”), SQSP officers Jaime-Daumy and Wren violated his constitutional rights. On October 30, 2020, Court mail addressed to Plaintiff was returned as undeliverable because Plaintiff was no longer in custody. ECF No. 37. On May 10, 2021, the Court ordered Plaintiff to show cause by July 7, 2021, why this action should not be dismissed without prejudice pursuant to N.D. Cal. L.R. 3-11. N.D. Cal. L.R. 3-11 provides that the Court may, without prejudice, dismiss a complaint when: (1) court mail addressed to the *pro se* party has been returned to the court as not deliverable, and (2) the Court fails to receive within 60 days of this return a written communication from the *pro se* party indicating a current address. *See* N.D. Cal. Civil L.R. 3-11(b).

Plaintiff has not responded to the Court’s May 10, 2021 order to show cause,<sup>1</sup> and more than sixty days has passed since court mail addressed to Plaintiff was returned as undeliverable. Accordingly, the instant action is DISMISSED without prejudice pursuant to N.D. Cal. Civil L.R. 3-11.

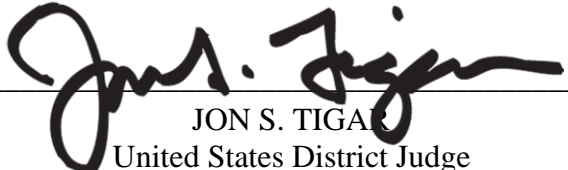
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<sup>1</sup> The May 10, 2021 Order to Show Cause was also returned to the Court as undeliverable. ECF No. 39.

1 The Clerk shall enter judgment in favor of Defendants, deny all pending motions as moot,  
2 and close the case.

3 **IT IS SO ORDERED.**

4 Dated: September 20, 2021

5   
6 JON S. TIGAR  
United States District Judge

United States District Court  
Northern District of California